

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE ROBERT NORTON LOOMAS,
JR., also known as Bob R. Loomas, Jr.,
former officer, director, shareholder of
RNL Consulting,

Debtor.

MARCIA FREEMAN, formerly known
as Marcia Loomas,

Plaintiff – Appellee,

v.

ROBERT NORTON LOOMAS, JR.,

Defendant – Appellant.

BAP No. CO-13-008

Bankr. No. 12-11898
Adv. No. 12-01282
Chapter 7

DISMISSAL ORDER

March 13, 2013

Before MICHAEL, SOMERS, and JACOBVITZ, Bankruptcy Judges.

On February 8, 2013, this Court entered an Order to Show Cause Why Appeal Should Not Be Considered For Dismissal As Untimely (“OSC”), because the pro se Appellant, Robert N. Loomas, Jr. (“Appellant”), filed his Notice of Appeal more than fourteen (14) days after the entry of the order appealed. See Fed. R. Bankr. P. 8001(a). At the time the Appellant filed his notice of appeal, he also filed a Motion To Extend Time To Appeal Under Rule 8002(c) (“Motion”) in the bankruptcy court. On February 22, 2013, Appellant filed a Response to the OSC stating that the bankruptcy court had not ruled on his motion. On the same day, the bankruptcy court issued an order denying Appellant’s motion.

The OSC required Appellant to file a memorandum of law providing a legal explanation as to why the appeal should not be dismissed for lack of jurisdiction within fourteen (14) days of the bankruptcy court’s order denying his Motion.

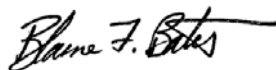
The OSC further indicated that failure to meet the deadlines therein would result in the dismissal of the appeal without further notice.

Fourteen (14) days have passed since the bankruptcy court issued its order and Appellant has not filed a memorandum of law in compliance with this Court's OSC. As such, this appeal must be dismissed, subject to Appellant's right to cure during the rehearing period set forth in Federal Rule of Bankruptcy Procedure 8015, after which time our mandate will issue, divesting this Court of jurisdiction over this appeal.

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a).
- (2) All prior deadlines are TERMINATED.

For the Panel:

A handwritten signature in black ink, reading "Blaine F. Bates". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Blaine F. Bates
Clerk of Court